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10/057,126	10/25/2001	Kai Tuschner	04899-065001	1888
7590 11/17/2004				
Kevin J. Canning, Esq. Lahive & Cockfield, LLP 28 State Street Boston, MA 02109		EXAMINER HONEYCUTT, KRISTINA B		
		ART UNIT 2178 PAPER NUMBER		

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/057,126

Applicant(s)

TUSCHNER ET AL.

Examiner

Kristina B. Honeycutt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) <sup>3</sup>
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: Application filed October 25, 2001.
2. Claims 1-26 are pending in the case. Claims 1, 10, 19 and 23 are independent claims.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- "10" on p.7, line 2;
- "12" on p.7, line 3;
- "16" on p.7, line 9;
- "18" on p.7, line 9;
- "20" on p.7, line 10;
- "22" on p.7, line 11;
- "24" on p.7, line 13;
- "26" on p.7, line 15;
- "28" on p.7, line 15;
- "30" on p.7, line 16
- "32" on p.7, line 17;

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- “34” on p.7, line 17.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The disclosure is objected to because of the following informalities: on p.10, line 23 and p.11, line 4, an exemplary model diagram **190** should be numbered as **193** to coincide with figure 5.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. Claim 2 recites the limitation "the selection" in line 4. There is insufficient antecedent basis for this limitation in the claim. Claim 11 is rejected along the same rationale.

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6. Claim 8 recites the limitation "the hypertext language" in line 1. There is insufficient antecedent basis for this limitation in the claim. Claim 17 is rejected along the same rationale.

7. Claim 9 recites the limitation "the sections" in line 3. There is insufficient antecedent basis for this limitation in the claim. Claim 18 is rejected along the same rationale.

8. Claim 11 recites the limitation "the method" in line 1. There is insufficient antecedent basis for this limitation in the claim. Claims 12-18 are rejected along the same rationale. For the purposes of examination these claims are understood to read "The system of ...".

9. Claim 25 recites the limitation "the Internet" in line 3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1, 4, 5, 10, 13, 14, 19 and 23-26 are rejected under 35

U.S.C. 102(e) as being anticipated by Ciolfi (U.S. Pub. No. 20030107595).

**Regarding independent claim 1**, Ciolfi discloses a method comprising:

- generating source code corresponding to a block diagram model (p.2, para. 31; p.4, para. 49-50 – as demonstrated in the cited text, source code corresponding to a block diagram model is generated); and
- generating hypertext links associating elements of the generated source code with elements of the block diagram model (p.4, para. 50; p.8, para. 76 – as demonstrated in the cited text, links are generated that associate the source code with the diagram).

**Regarding dependent claim 4**, Ciolfi discloses the method of claim 1, wherein:

- at least one of the associated elements in the generated source code is a commented reference to a block in the block diagram model (Appendix – as demonstrated in the cited text, the generated source code contains commented references).

**Regarding dependent claim 5**, Ciolfi discloses the method of claim 1, wherein:

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- at least one of the associated elements in the generated source code is a variable reference in an operative code section (p.3, para. 39; p.8, para. 76 – as demonstrated in the cited text, the generated source code contains variable references).

**Regarding independent claims 10, 19 and 23**, the claims reflect the system, computer program and processor and memory for performing the method of claim 1 and are rejected along the same rationale.

**Regarding dependent claims 13 and 14**, the claims reflect the system for performing the methods of claims 4 and 5 respectively and are rejected along the same rationale.

**Regarding dependent claims 24-26**, Ciolfi discloses the processor and memory of claim 23, wherein:

- the processor and memory are incorporated into a personal computer, a network server residing in the Internet or a single board computer (p.2, para. 31-32; Figure 1 – as demonstrated in the figure and cited text, the processor and memory can be incorporated in a PC, a network server or a single board computer).

***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2, 7, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) in view of Hennum (U.S. Pub. No. 20020054138).

**Regarding dependent claims 2 and 11,** Ciolfi does not disclose displaying the source code and hypertext links on a display, receiving input from a user representing the selection of one of the hypertext links, or displaying to the user at least a portion of the block diagram model including an element of the model associated with the hypertext link. Hennum teaches displaying source code and hypertext links and displaying associated information when a user selects a link (p.5, para. 63) and it was well-known that linked associated information could include diagrams or selected portions of diagrams. It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Hennum before him at the time the invention was made, to modify generating source code and links taught by Ciolfi to include displaying code and links and displaying associated information when a link is selected as taught by Hennum, because the user would be able to verify that the block diagram is correct if source code could be viewed together with associated portions of the diagram. It would have



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been advantageous to one of ordinary skill to utilize such combination because testing, debugging and future development would have been easier and quicker if links to associated blocks were present in the code so that the user could simply select the link and view that block of the diagram.

**Regarding dependent claims 7 and 16**, Ciolfi does not disclose the hypertext link is HTML. Hennum teaches hypertext links as HTML (p.10, para. 114). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Hennum before him at the time the invention was made, to modify links taught by Ciolfi to HTML links as taught by Hennum, because HTML was well-known at the time of the invention for creating hypertext links and using a well-known language would have allowed more users to utilize the invention since there was a familiarity with HTML.

12. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) in view of Hennum (U.S. Pub. No. 20020054138) in further view of Gagnon (U.S. Patent 6049835).

**Regarding dependent claims 3 and 12**, Ciolfi does not disclose displaying the associated element in a highlighted fashion. Gagnon teaches displaying linked elements in a highlighted fashion (col. 2, lines 32-39). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Gagnon before him at the time the invention was made, to modify generating

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source code and links taught by Ciolfi to include displaying highlighted associated information as taught by Gagnon, because the user would be able to easily identify the associated block in the diagram. It would have been advantageous to one of ordinary skill to utilize such combination because the user would be able to compare the block to the code linked to it as well as view the remainder of the diagram for further examination.

13. Claims 6, 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) in view of Prahalad (U.S. Pub. No. 20020072049).

**Regarding dependent claims 6 and 15,** Ciolfi does not disclose the hypertext link is SGML. Prahalad teaches SGML and links (p.2, para. 32). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Prahalad before him at the time the invention was made, to modify links taught by Ciolfi to include SGML links as taught by Prahalad, because SGML was well-known at the time of the invention for creating hypertext links and using a well-known language would have allowed more users to utilize the invention since there was a familiarity with SGML.

**Regarding dependent claim 8,** Ciolfi does not disclose the hypertext language is XML. Prahalad teaches XML (p.2, para. 32). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Prahalad before

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him at the time the invention was made, to modify the method taught by Ciolfi to include XML as taught by Prahalad, because XML was well-known at the time of the invention and using a well-known language would have allowed more users to utilize the invention since there was a familiarity with XML.

14. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) in view of Lindner (U.S. Pub. No. 20030120549).

**Regarding dependent claims 9 and 18,** Ciolfi does not disclose the commented reference to a block comprises a character string identifying a path to a file providing information relating to the sections of the block. Lindner teaches comments containing paths to files (p.3, para. 51). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Lindner before him at the time the invention was made, to modify the comments taught by Ciolfi to include comments containing paths to files as taught by Lindner, because including file paths in the comments would allow the user to verify that the correct file was associated with the block. It would have been advantageous to one of ordinary skill to utilize such combination because the user could quickly determine which file to examine if the need arose while viewing the source code and associated block.

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15. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) in view of Hennum (U.S. Pub. No. 20020054138) in further view of Prahalad (U.S. Pub. No. 20020072049).

**Regarding dependent claim 17**, Ciolfi does not disclose the hypertext language is XML. Prahalad teaches XML (p.2, para. 32). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Prahalad before him at the time the invention was made, to modify the method taught by Ciolfi to include XML as taught by Prahalad, because XML was well-known at the time of the invention and using a well-known language would have allowed more users to utilize the invention since there was a familiarity with XML.

16. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciolfi (U.S. Pub. No. 20030107595) in view of Lomax (U.S. Patent 6493740).

**Regarding dependent claims 20-22**, Ciolfi does not disclose the computer readable medium is RAM, ROM or hard disk drive. Lomax teaches computer readable medium is RAM, ROM or hard disk drive (col. 7, lines 12-21). It would have been obvious to one of ordinary skill in the art, having the teachings of Ciolfi and Lomax before him at the time the invention was made, to modify storage taught by Ciolfi (p.2, para. 33) to include RAM, ROM and hard disk drive as taught by Lomax, because RAM, ROM and hard disk drive were well-known at

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the time of the invention and using well-known storage would have allowed more users to utilize the invention since there was a familiarity with RAM, ROM and hard disk drive.

### ***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Partitioning for model-based design (U.S. Pub. No. 20020016206),
- Specifying and targeting portions of a graphical program for real-time response (U.S. Pub. No. 20030195732),
- Generating code for data references (U.S. Pub. No. 20020188928),
- Graphical system for modeling a process and associated method (U.S. Patent 4901221),
- Optimized look-up table calculations in block diagram software (U.S. Pub. No. 20030018953).

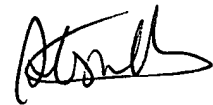
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8:00 am - 5:00 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



STEPHEN S. HON  
PRIMARY EXAMINER

KBH